



THE CITY OF SAN DIEGO

Adult Entertainment Businesses

CITY OF SAN DIEGO DEVELOPMENT SERVICES
1222 FIRST AVENUE, MS 301, SAN DIEGO, CA 92101-4153
Call (619) 446-5300 for appointments and (619) 446-5000 for information.

INFORMATION
BULLETIN
144
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This information bulletin defines adult entertainment businesses and clarifies where these establishments may be located within the City of San Diego. Some Planned District Ordinances contain adult entertainment regulations that supercede the information in this bulletin. For further information or clarification of the adult entertainment regulations, visit our web page at www.sandiego.gov/development-services or come see us at the Development and Permit Information counter at the Development Services Center at 1222 First Avenue, third floor, terrace level. Appointments are recommended, phone (619) 446-5300.

I. WHAT IS AN ADULT ENTERTAINMENT BUSINESS?

San Diego Municipal Code Section 141.0601 defines the activities which constitute an adult entertainment business as a place of business where any "specified sexual activities" are conducted, or where "specified anatomical areas" are displayed.

The following Adult Entertainment Businesses are regulated uses as specified by Municipal Code Section 141.0601:

1. Adult body painting studios
2. Adult stores
3. Adult cabarets
4. Adult outdoor theaters
5. Adult massage businesses
6. Adult mini-motion picture theaters
7. Adult model studios
8. Adult motels
9. Adult motion picture theaters
10. Adult peep show businesses
11. Adult sexual encounter businesses
12. Adult theaters

II. PERMITTED LOCATIONS

Adult entertainment businesses are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), also Planned Districts may permit these regulated uses, all are subject to the regulations in Section 141.0601(b)(1), see also Section 141.0601(b)(2) & (3).

141.0601(b)(1) Adult entertainment businesses shall not be established, enlarged or undergo a transfer of ownership or control if the structure housing the business would be located within 1,000 feet of any of the following:

Documents referenced in this Information Bulletin

- Adult Entertainment Establishment Zoning Use Certificate
- San Diego Municipal Code Section 141.0601
- Parcel Information Checklist (DS 302)
- Plot Plan & Vicinity Map (DS 5122)

- (A) Another structure housing an adult entertainment business;
- (B) The property line of a residentially zoned property;
- (C) The property line of a church except those established in accordance with Section 141.0104(a),
- (D) The property line of a school;
- (E) The property line of a public park;
- (F) The property line of a social service institution

141.0601(b)(2) If a church other than one established in accordance with Section 141.0404(a), a school, a public park, a social service institution, or a residential zone is established within 1,000 feet of an adult entertainment business, the person possessing ownership or control of the adult entertainment business is permitted to transfer ownership or control within 2 years of the date on which the school begins a course of instruction for students, the church or social service institution is opened for use, the public park is dedicated, or the ordinance establishing the residential zone becomes effective. The person acquiring the ownership or control, however, shall be required to discontinue the adult entertainment business within 5 years from the date of the transfer of ownership or control if the business continues to be within 1,000 feet of the uses or properties listed in Section 141.0601(b)(1)

III. PROCESS I - ADMINISTRATIVE REVIEW

An Administrative Review is required for those Adult Entertainment Businesses meeting all six location standards listed in Section II. of this bulletin. Approvals for Process I, Adult Entertainment Businesses must be submitted.

The following forms and documents, along with a \$2,686 application fee and a \$10 mapping fee, are all required at submittal time. An (OTC) over the counter review will take place for a completeness check, if complete.

"Printed on recycled paper. Visit our web page at www.sandiego.gov/development-services. This information is available in alternative format for persons with disabilities, upon request."

Application Package

Provide the following documents:

A. General Application (DS-3032)

All projects must be submitted with a Project Application. Important instructions can be found on the reverse side of the application.

B. Parcel Information Checklist (DS-302)

The information contained on this form will assist you as you design your project. A completed Parcel Information Checklist is required for every project.)

C. Adult Entertainment Establishment Zoning Use Certificate

Complete and sign the attached Adult Entertainment Establishment Zoning Use Certificate.

D. 1000-foot Radius Map

Provide 2 copies of an Assessors Parcel Map outlining a 1000-foot radius around the subject property, (County Assessors Office, 1600 Pacific Highway or Phone (619) 236-3771 or see their Web Page at: www.sdarcc.com) with the following items identified by measuring 1000 linear feet (measured in a straight line to the property line):

1. another adult entertainment establishment
2. the property line of a residentially zoned property
3. the property line of a church (except those established in accordance with section 141.0404(a))
4. the property line of a school
5. the property line of a public park
6. the property line of a social service institution

E. PLOT PLAN

See Information Bulletin #122 Plot Plan & Vicinity Map. Provide a fully dimensioned plot plan drawn to scale, showing:

1. Boundaries and dimensions of the property.
2. Names and right-of-way widths of bordering street(s) and alleys
3. Location and dimensions of existing and proposed buildings.
4. Identification of the use of all structures, existing and proposed. If the proposed adult entertainment establishment is a leased space in a multi-tenant building, identify the lease space within that building.
5. Distance from the building(s) to the property line(s).
6. Distance from the front property line to the curb or to the centerline of the street.

7. Provide the owner's name, address, and phone number and the business owner's name, address, phone number and assessor's parcel number for the specific site location.

F. FEE

An application fee of \$2,686 and a mapping fee of \$10.

IV. OPTIONS FOR SERVICE

1. A. An appointment is recommended, telephone (619) 446-5300. The plans will be taken in for review if the project is complete; or

B. You may be placed on the Project Screening waiting list; at screening your project will be taken in for review if the project is complete.

2. Start at the **Check-in** counter on the third floor, terrace level, for your scheduled appointment time or for our project screening counter (where you will be placed on a waiting list).

V. ADMINISTRATIVE REVIEW

During the review process the City staff will establish if the designated use is allowed and will conduct a site visit to determine if your project meets the six location standards for an Adult Entertainment Establishment, if all of the requirements are met the reviewer will sign the **Adult Entertainment Establishment Zoning Use Certificate** and forward it to the applicant within 15 working days of the date of application. If an applicant is unable to meet the six location standards, the applicant is notified in writing.

VI. OTHER PERMITS

All tenant improvements, additions, new buildings, signs, change of use, etc., require a separate Construction Permit.



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-301
San Diego, CA 92101

Adult Entertainment Establishment Zoning Use Certificate

The Adult Entertainment Establishment Zoning Use Certificate is issued based on the information provided by the applicant on this application and other documentation provided. The issuance of the certificate is valid until the business use has changed, expanded or relocated. A new Adult Entertainment Establishment Zoning Use Certificate must be obtained prior to a change in ownership of an adult entertainment establishment. Changes of ownership of an adult entertainment establishment are limited by the provisions of Municipal Code Section **141.060(b)(2)**.

The business is required to operate in compliance with all applicable development regulations and operational standards of the zone. The applicant is responsible to comply with all City, County and State regulations. **The Zoning Use Certificate is not a permit or license. Appropriate permits or licenses required by law must be obtained from the proper agency. A certificate issued in error or based upon inaccurate information does not confer a right to conduct a business.**

1. Business Name: _____ Telephone No. _____
2. Business Address: _____
3. Legal Description (Lot, Block, Map No. or Parcel No. of Parcel Map No.): _____
4. Describe the proposed activities to be conducted on the premises, including any products or services provided:

The property owner or authorized agent and business owner must complete the following section and sign their name where indicated.

I am aware that the business described above is subject to the Adult Entertainment regulations (San Diego Municipal Code Section **141.0601**). I certify that the proposed business location is not within 1000 linear feet (measured in a straight line) of any other business that is subject to the Adult Entertainment regulations, a residential zone, church, school, public park, or social welfare institution (as defined in Municipal Code Sections **141.0601** and **141.0404**). I have a copy of the aforementioned code, have read it, and certify that the proposed business will comply with all requirements.

Name of Property Owner or Agent (please print):	Name of Business Owner(s) (please print):
Mailing Address:	Mailing Address:
Telephone No.	Telephone No.
Signature: _____ Date: _____	Signature: _____ Date: _____

For City Use Only

Application Date:	Receipt No.	Fee:
Zone, Overlay Zone, Emergency or Interim Ordinances, Special Conditions:		

☐ Approved ☐ Denied
By: _____

Date: _____